



THE CITY OF NEW YORK  
**LAW DEPARTMENT**

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June 19, 2017

**VIA ECF**

Honorable Laura Taylor Swain  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Justin Kuchma v. The City of New York, et al.,  
16 CV 7830 (LTS)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendant City of New York ("City") in the above-referenced action. In compliance with Your Honor's Order dated June 16, 2017 ("June 16<sup>th</sup> Order"), on behalf of defendant City, I respectfully write to apprise the Court further of: 1) the status of the investigation conducted by the Investigation Division ("ID") of the New York City Department of Correction ("DOC"), concerning the incident that underlies the allegations in the Complaint; 2) the likely duration thereof; and 3) whether defendants object to limited discovery being conducted concerning the identification of the "John Doe" defendants during the pendency of the current stay. See Docket Entry # 40.

After further inquiry, the undersigned can report to the Court that the preliminary phase of the investigation has been completed in that the lead investigators have compiled the necessary information from various sources and are in the process of submitting recommendations concerning disciplinary charges, or exoneration therefrom. The deadline for the submission of these recommendations is July 21, 2017. After that, the Commissioner will either accept, reject or modify any charges that are recommended. Accordingly, the stay is still very much needed, but it is expected that the final endorsements will be applied before the end of summer.

Finally, defendants consent to limited discovery being conducted concerning the identification of the “John Doe” defendants during the pendency of the stay.

Defendant City thanks the Court for its time and consideration.

Respectfully submitted,

/s/

Karl J. Ashanti, Esq.

*Senior Counsel*

cc: Danielle B. Sullivan, Esq. (BY ECF)  
*Attorneys for Plaintiff*